

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

FILED

OCT 13 2021

Clerk, U. S. District Court
Eastern District of Tennessee
At Greenville

UNITED STATES OF AMERICA

v.

JUSTIN O'NEAL KITE,
also known as "Jay," a.k.a. "G",
AMBER DENISE DWIGGINS, and
MICHAEL GLEN GRISSOM

2:21-CR-110

JUDGE CORKER

TO BE SEALED

INDICTMENT

COUNT ONE

The Grand Jury charges that beginning in or about August 2020, and continuing to on or about February 16, 2021, within the Eastern District of Tennessee and elsewhere, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," a.k.a. "G", AMBER DENISE DWIGGINS, and MICHAEL GLEN GRISSOM, and others known and unknown to the Grand Jury, did knowingly, intentionally, and without authority combine, conspire, confederate and agree with each other and with diverse other persons to commit the following offenses against the United States of America: The distribution of 100 grams or more of heroin, a Schedule I controlled substance.

[21 U.S.C. §§ 846, 841(a)(1), (b)(1)(B)]

COUNT TWO

The Grand Jury further charges that beginning in or about August 2020, and continuing to on or about February 16, 2021, within the Eastern District of Tennessee and elsewhere, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," a.k.a. "G", and AMBER DENISE DWIGGINS, and others known and unknown to the Grand Jury, did knowingly, intentionally, and without authority combine, conspire, confederate and agree with each other and with diverse other persons to commit the following offenses against the United States of America: The distribution of a quantity of fentanyl, a Schedule II controlled substance.

[21 U.S.C. §§ 846, 841(a)(1), (b)(1)(C)]

COUNT THREE

The Grand Jury charges that on or about February 16, 2021, within the Eastern District of Tennessee, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," a.k.a. "G" and AMBER DENISE DWIGGINS, aided and abetted by each other, did knowingly possess a firearm in furtherance of the drug trafficking offense as charged in Count One, in violation of Title 21, United States Code, Section 841(a)(1), which is hereby incorporated by reference.

[18 U.S.C. § 924(c)(1)(A) and 18 U.S.C. § 2, and *Pinkerton v. United States*, 328 U.S. 640 (1946) (*Pinkerton* liability)]

COUNT FOUR

The Grand Jury further charges that on or about February 16, 2021, within the Eastern District of Tennessee, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," a.k.a. "G" and AMBER DENISE DWIGGINS, aided and abetted by each other, did knowingly, intentionally and without authority possess with the intent to distribute a mixture or substance with a detectible amount of heroin, a Schedule I controlled substance.

[21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2 and *Pinkerton v. United States*, 328 U.S. 640 (1946) (*Pinkerton* liability)]

COUNT FIVE

The Grand Jury further charges that on or about February 16, 2021, within the Eastern District of Tennessee, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," a.k.a. "G" and AMBER DENISE DWIGGINS, aided and abetted by each other, did knowingly, intentionally and without authority possess with the intent to distribute a mixture or substance with a detectible amount of fentanyl, a Schedule II controlled substance.

[21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2 and *Pinkerton v. United States*, 328 U.S. 640 (1946) (*Pinkerton* liability)]

COUNT SIX

The Grand Jury further charges that on or about February 16, 2021, within the Eastern District of Tennessee, the defendant, AMBER DENISE DWIGGINS, knowing she had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely,

- a) A Pioneer Arms, pistol
- b) A Taurus, Model G2C, pistol,

which had been shipped and transported in interstate commerce.

[18 U.S.C. § 922(g)(1)]

COUNT SEVEN

The Grand Jury further charges that on or about August 26, 2020, within the Eastern District of Tennessee, the defendant, MICHAEL GLEN GRISSOM did knowingly, intentionally and without authority distribute a mixture or substance with a detectible amount of heroin, a Schedule I controlled substance.

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

COUNT EIGHT

The Grand Jury further charges that on or about August 26, 2020, within the Eastern District of Tennessee, the defendant, MICHAEL GLEN GRISSOM did knowingly, intentionally and without authority distribute a mixture or substance with a detectible amount of methamphetamine, its salts, isomers, and isomers of its salts, a Schedule II controlled substance.

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

COUNT NINE

The Grand Jury further charges that on or about August 27, 2020, within the Eastern District of Tennessee, the defendant, MICHAEL GLEN GRISSOM did knowingly, intentionally and without authority distribute a mixture or substance with a detectable amount of heroin, a Schedule I controlled substance.

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of an offense in violation of Title 21, United States Code, Section 841 and/or 846, as set forth in Counts One, Two, Four, Five, and Seven through Ten, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," AKA "G", AMBER DENISE DWIGGINS, and MICHAEL GLEN GRISSOM, shall forfeit to the United States any and all property used, and intended to be used, to commit, and to facilitate the commission of a violation of Title 21, United States Code, Section 841 and/or 846, and any and all property constituting and derived from any proceeds obtained, directly or indirectly, as a result of a violation of Title 21, United States Code, Section 841 and/or 846, including, but not limited to the following properties:

Firearm and Ammunition.

(a) Pioneer Arms AK Pistol;

(b) Taurus, Model G2C, pistol, and

(c) Ammunition.

3. Upon conviction of an offense in violation of Title 18, United States Code, Section 924 and/or 922, as set forth in Counts Three and Six, the defendants, JUSTIN O'NEAL KITE, also known as "Jay," AKA "G", AMBER DENISE DWIGGINS shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, including but not limited to:

(a) Pioneer Arms AK Pistol;

(b) Taurus pistol; and

(c) Ammunition.

4. If any of the properties described above, as a result of any act or omission of the defendant:

a) cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;


d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without

difficulty, the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c).


FOREPERSON

FRANCIS M. HAMILTON, III
Acting United States Attorney

By: 
B. TODD MARTIN
Assistant U.S. Attorney